

**AMENDMENTS TO THE DRAWINGS**

The attached five (5) replacement sheets include the amended Figs. 1A to 3, which are to replace the original Figs. 1A to 3 currently on file.

Also attached are five (5) annotated sheets of the Figs. 1A to 3 on which each change is indicated.

Attachment: Replacement sheets of Figs. 1A to 3 (5 pages)

Annotated Sheets of Figs. 1A to 3 (5 pages)

### REMARKS

Applicants acknowledge receipt of an Office Action dated December 7, 2005. In this response, Applicants have cancelled claims 1 to 8 without prejudice or disclaimer, and added new claims 9 to 28. Support for claims 9 to 28 may be found in the specification, *inter alia*, on pages 4 to 8. Following entry of these amendments, claims 9 to 28 are pending in the application.

Applicants have also amended the specification to improve the legibility of the text. Reference numerals have been added to facilitate the reference to the figures. Also, some clerical errors have been corrected.

The reference numeral 95 present in original paragraph [0031] has been added to Fig. 3. In Fig. 2, the reference numeral 21 was changed to 71, as depicted in original Fig. 3. The other reference numerals added to Fig. 3 were present in the other figures and were added to gain clarity.

No new matter was added by the present amendment.

### Rejections under 35 U.S.C. §112, first paragraph

On page 2 of the Office Action, the Examiner rejected claims 1 to 8 under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. In view of the new claims 9 to 28, Applicants respectfully traverse this rejection.

The Office Action stated that the specification failed to give adequate definitions for the means plus function limitations which appeared in claims 1 and 6. New claims 9 to 29 now use terms which were present in the description as filed. For example, in claim 9, the expression "filter means" was replaced by the expression "filter". In other claims, the expression "control means" was replaced by the expression "control box" from page 4, par. 22. In other instances, such language was replaced by functional terms. For example, the expression "means for connecting" was rephrased as "connected".

Applicant therefore submits that claims 9 to 28 contain only subject matter which was described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the claimed invention.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under §112, first paragraph.

**Rejections under 35 U.S.C. §112, second paragraph**

On page 2 of the Office Action, the PTO has rejected claims 1 to 8 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In view of the new claims 9 to 28, Applicants respectfully traverse this rejection.

The Office Action stated that it was unclear as to what structure the means plus function limitations in claims 1 and 6 imply since a clear definition of each limitation has not been given in the specification. The Office Action also stated that claims 2 to 8 recited structural limitations that were redundant of the means plus function limitations recited in claim 1. Applicant submit that this objection no longer stands in view of the language used in new claims 9 to 28, as described above.

Applicant therefore submits that each limitation in new claims 9 to 28 was specifically provided for in the original written description.

In view of the foregoing, Applicants respectfully request reconsideration and withdrawal of the outstanding rejection under §112, second paragraph.

**Rejections under 35 U.S.C. §102**

On page 3 of the Office Action, the Examiner rejected claim 1 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent 5,709,799 to Engelhard et al. (hereinafter "Engelhard"). In view of new claims 9 to 29, Applicants respectfully traverse this rejection.

For anticipation under 35 U.S.C. §102, MPEP §706.02 IV. states : “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Here Applicants submit that Engelhard fails to disclose a water purifier provided in a hand-carried case containing at least a pump, a filter, an ozone generator and an ozone injector, and adaptable for a separate water container. This allows purifying water supplies in remote areas by carrying the water purifier by hand.

Further, Applicants submit that Engelhard fails to disclose the generation of ozone from an oxygen bottle. Engelhard teaches the generation of ozone by a UV source. The concentrations of ozone generated from ambient air and a UV source are much lower than that which is generated from an ozone generator which is supplied by an oxygen bottle.

Applicants believe that one advantage of there device is the possibility to treat highly contaminated water such as muddy water, and is a great benefit in regions where water supplies are sparse. Engelhard’s static device is adapted to purify water from sources such as “a municipal water system, a well, a rain catchment, a stream, or a river” (col. 2, lines 30 and 31). These sources are only slightly contaminated with respect to muddy or stagnant waters which necessitate a higher level of ozone than that which is provided from a UV source such as taught by Engelhard.

For these reasons at least, Applicants submit that new independent claims 9, 19 and 24 claim subject-matter which is new in view of Engelhard. Consequently, the dependent claims are also new. Applicants therefore respectfully request reconsideration and withdrawal of the outstanding rejection under §102 (b).

### **Rejections under 35 U.S.C. §103**

On pages 4 to 6 of the Office Action, the Examiner rejected claim 2 to 6 under 35 U.S.C. § 103(a) as being unpatentable over Engelhard in view of US Patent 6,270,658 to Pluss, US Patent 4,842,723 to Parks, and US Patent 6,110,431 to Dunder. Applicants

respectfully submit that these rejections are moot in view of the cancellation of claims 2 to 6, and the new claims added by the amendment.

Each one of the newly submitted independent claims 9, 19 and 24 include the limitation of having a hand-carried case which encloses at least the pump, the filter, the ozone generator and the ozone injector, and that of the ozone generator being for use with an oxygen bottle. This combination of features are not taught by any one of the cited references and was not obvious to one skilled in the art at the date of invention.

Applicants therefore submit that new independent claims 9, 19 and 24 claim subject-matter which is unobvious in view of Engelhard, Plüss, Parks, and Dunder. Applicants therefore respectfully request reconsideration and withdrawal of the outstanding rejections under §103.

#### **Newly Added Claims**

In this response, Applicants have added claims 9 to 29. Applicants submit that each of these claims is allowable for the reasons discussed above.

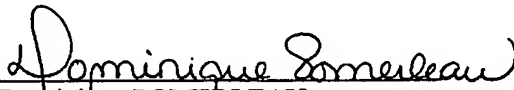
No new matter was added by the amendment.

**CONCLUSION**

In view of the foregoing amendments and remarks, Applicants respectfully submit that all of the pending claims are now in condition for allowance. An early notice to this effect is earnestly solicited. If there are any questions regarding the application, the Examiner is invited to contact the undersigned at the number below.

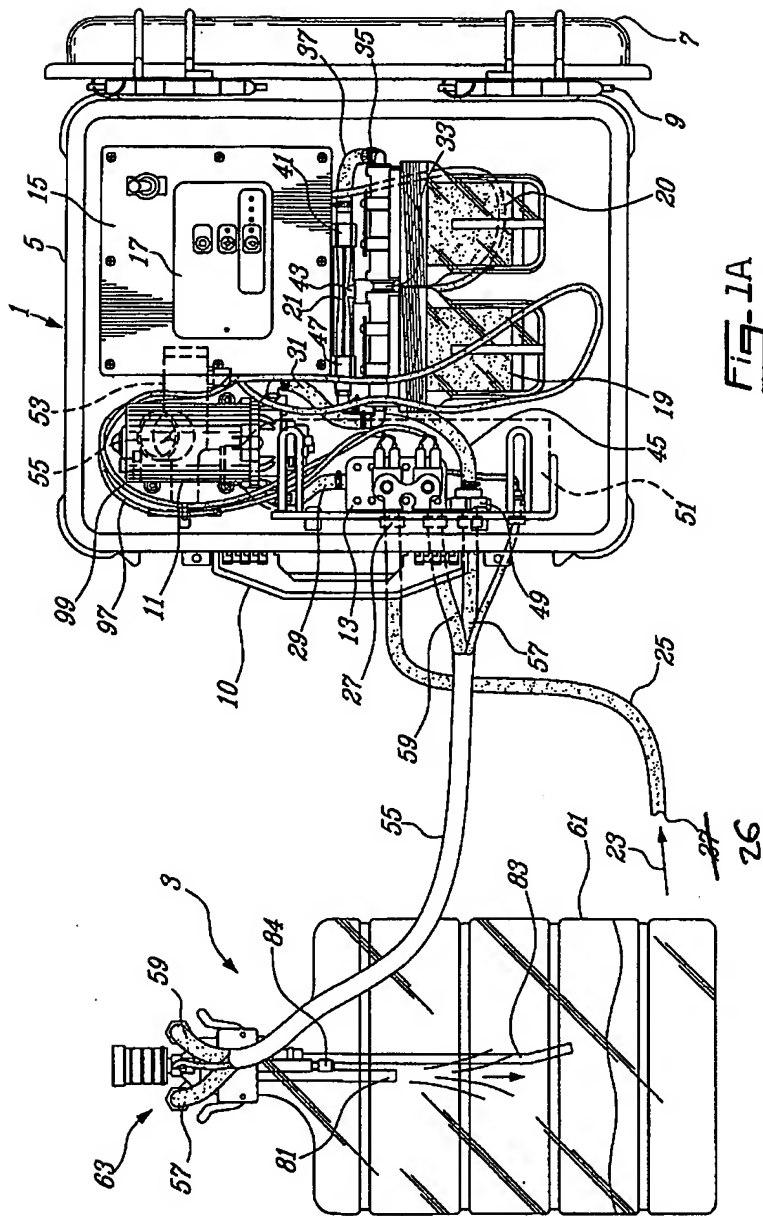
Respectfully Submitted,  
Gilles MARQUIS et al.

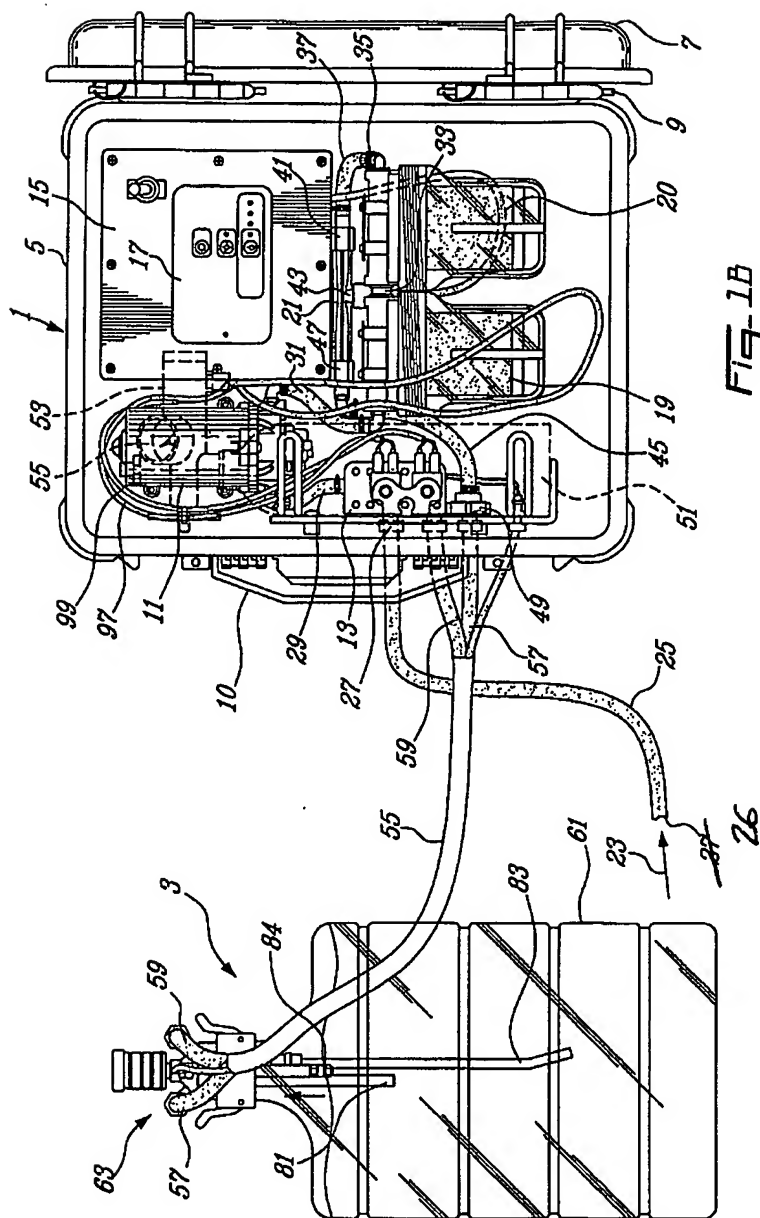
April 6, 2006  
Date

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Reg. No. 58,341

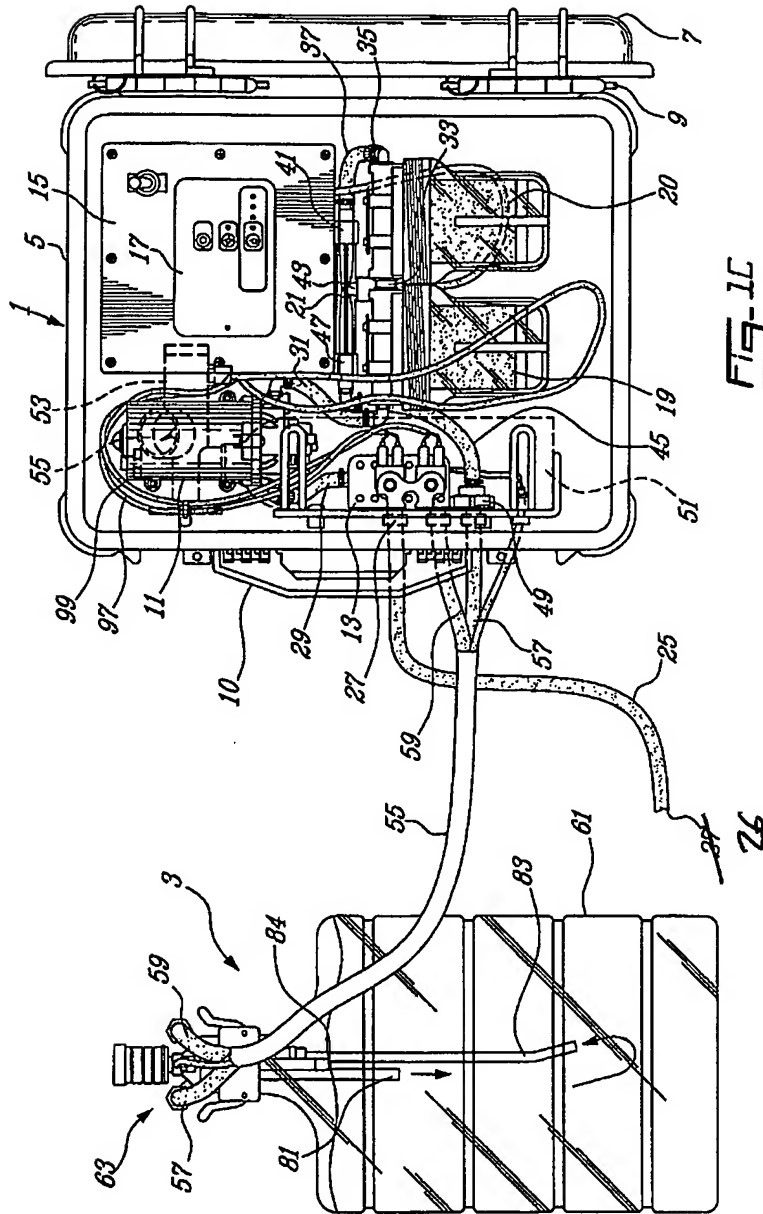
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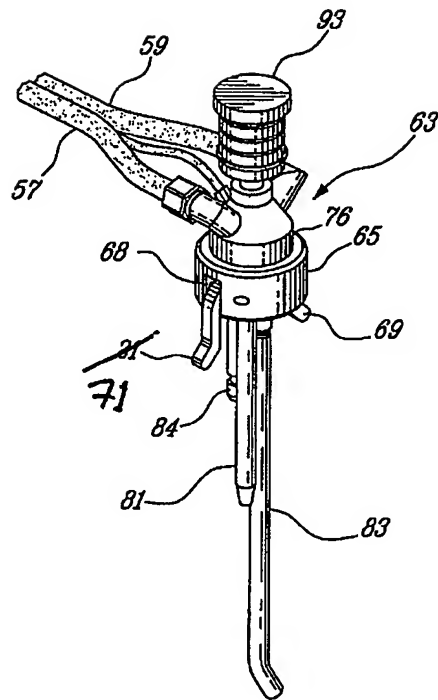
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment to Deposit Account No. 19-5113. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-5113. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-5113.











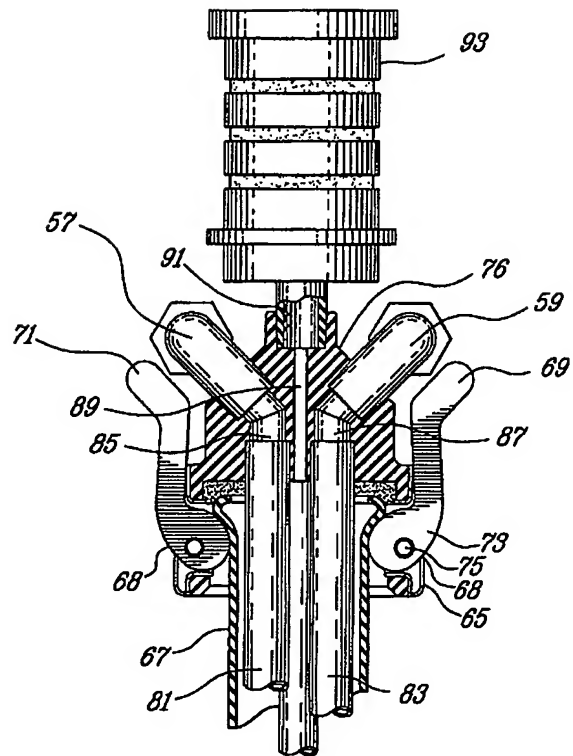


FIG-3